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12 Attorneys for Respondents and Counter-Claimants
13 JIN D. GUAN, Individually, and as
Personal Representative of the Estate
and Wife of Decedent PING YAU TSANG
and as Mother of JAY LEN TSANG, a Minor
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15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17

In the Matter of the Complaint of Cindia Deng,)
as administrator of the ESTATE OF CARL)
DENG and NORMAN LIU, an individual, as)
owners of the Fishing Vessel, a 24-Foot Sea)
Swirl Striper, Model Number 2301, Serial)
Number GSSNF009F203, Official Number CF)
9242 PX, California Department of Motor)
Vehicles Registration N897884 for)
Exoneration from or Limitation of Liability.)

)

Case Number: 3:13-cv-02659-WHA

[Related to Case No. 3:13-cv-05071-WHA]

**[PROPOSED] ORDER RE: DISCOVERY
OF ALLSTATE INSURANCE COMPANY
CORRESPONDENCE AND CLAIMS
DOCUMENTS**

23 AND RELATED COUNTER-CLAIMS.)
24 _____)

)

25 The parties having come before the court pursuant to the Court's "Order Setting Hearing" on
26 Respondents' and Counter-Claimants' Discovery Dispute" on November 12, 2013, in Courtroom 8,
27 19th Floor, before the Honorable William H. Alsup after a discovery letter brief had been filed on
28

1 behalf of Jin D. Guan and a reply letter brief having been filed on behalf of petitioners. Gary A.
2 Angel of the Law Offices of Gary A. Angel, having appeared on behalf of respondents and counter-
3 claimants, and Pamela L. Schultz of the law firm of Severson and Werson, having appeared on
4 behalf of petitioners. The parties having argued the matter before the Court, the Court hereby issues
5 the following order:

6 Allstate Insurance Company ("Allstate") shall produce all written documents and
7 correspondence that go one way or the other (either to Allstate or owners or from Allstate and any
8 person having suffered damages in the accident), including written communications between Allstate
9 Insurance Company and any claimants/owners, from the date of the boating incident that is the
10 subject of this matter up until six months before the limitation proceeding was filed in this Court, *i.e.*
11 December 10, 2012. (If Allstate decides not to produce any document or documents because they
12 pertain to issues of insurance coverage, it will produce a log of said documents not produced.
13 Counsel for petitioners and Allstate shall advise respondents' counsel no later than 5:00 PM on
14 Thursday, November 14, 2103, that they will comply with this order and produce said documents
15 well in advance of the upcoming mediation currently scheduled for December 9, 2103.

16 Additionally, it is hereby ordered that counsel for petitioners, shall also advise no later than
17 5:00 PM on Thursday, November 14, 2103, whether Allstate has stated that it will comply with the
18 subpoena and produce said documents requested therein, which the Law Offices of Gary A. Angel
19 forwarded to Allstate (via mail) and petitioners' counsel (limitations on the subpoena are only with
20 regard to "privileged" matters that fall within this Order).

21 Should Allstate state that it will not agree to the second portion of this order relative to the
22 production of documents under the subpoena, then counsel for petitioners must properly serve the
23 subpoena on Allstate, and thereafter it is free to make a motion to the Court under normal time
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1 procedures in the Federal Rules of Civil Procedure and the Local Rules of this Court upon which the
2 Court will thereafter consider and rule upon.

3 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED.**

4 DATED: November 19, 2013

5 
6 William H. Alsup
7 Judge of the United States District Court

8 APPROVED AS TO FORM.
9

10 DATED: November _____, 2013

11 /s/ Pamela L. Schultz.
12 Pamela L. Schultz, Attorneys for
13 Petitioners and Counter-Defendants
14 CINDIA DENG and NORMAN LIU
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